

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Criminal Misc. Application No. 161 of 2005

Atar Singh
S/o Sri Tungal
Village Sisona,
Police Station – Bhagwanpur
District- Haridwar

...Applicant

Versus

1. State of Uttaranchal
 2. Rajveer
S/o Sri Phool Singh
R/o Village Sisona,
Police Station- Bhagwanpur
District- Bhagwanpur
- Opp. Parties

Sri Vinod Sharma, learned counsel for the applicant
Sri G.A. Sandhu, learned counsel for the State.

Hon'ble B.C. Kandpal, J.

This petition u/s 482 Cr.P.C. for quashing the criminal proceedings in session trial no. 345 of 2004 State Vs. Atar Singh & others pending before the court of Sessions Judge Haridwar.

Heard learned counsel for the applicant, learned A.G.A. and perused the record.

I do not find any serious miscarriage of justice and abuse of process of court. I also do not find any mandatory provision of law has been complied with.

I do not find it a fit case in which the inherent power u/s 482 Cr.P.C. should be exercised as the contentions raised by the learned counsel for the applicant are question of facts which can only be seen and assessed by the trial court during the course of evidence.

Accordingly, the petition is dismissed.

(B.C. Kandpal, J.)

22nd March, 2005
Shiv